

SOLICITOR

NOTE: Pursuant to Fed. Cir. R. 47.6, this order
is not citable as precedent. It is a public order.

AUG 30 2005

U.S. PATENT & TRADEMARK OFFICE

United States Court of Appeals for the Federal Circuit

05-1397
(Serial No. 09/645,827)

IN RE DALE FLANDERS and PETER S. WHITNEY,

ON MOTION

Before NEWMAN, Circuit Judge.

ORDER


Upon consideration of the parties' joint motion to remand the case to the United States Patent and Trademark Office for further proceedings,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

AUG 26 2005

Date



Pauline Newman
Circuit Judge

cc: Joseph Grant Houston, Esq.
John M. Whealan, Esq.

s16

AUG 26 2005

ISSUED AS A MANDATE: _____

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

AUG 26 2005

JAN HORBALY
CLERK